

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

2024 JUL 31 AM 9:09

COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

EDDY ALEXANDRE and  
EMINIFX, INC.,

Defendants.

Case No.: 22-cv-3822

Judge Caproni

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/7/2024

MOTION TO RECONSIDER MOTION TO COMPEL ATTORNEY TO SURRENDER CASEFILE

Dear Judge Caproni:

The Defendant, Eddy Alexandre (hereinafter "Mr. Alexandre", or the "Defendant"), pro se, for his motion to reconsider the motion to compel counsel to surrender casefile, at Dkt. 351 denying Dkt. 342 on July 1, 2024 relating back to motion docketed at 280 denied at 281, states and alleges as follows:

The order is not supported by the facts before this Court. Defendant have proffered sworn affidavits, certified letters as exhibits and they are all ignored by a vague statement previously proffered by previous counsel without proof just because he is an officer of the Court.

Whereas, Mr. Bove went to the Criminal Docket before Honorable Judge Cronan to plead for a moot order because the day "AFTER" the motion to compel was docketed at the criminal docket, he reached out to his team to make arrangements to provide the case file to Defendant. It's significant that Mr. Bove admitted on the records to provide such casefile only after the filing of the motion to compel and cited honorable judge Caproni's order to prove that he even the civil docket believes that he satisfied his duties. This is a desperate strategy because he further admitted that his team has discovered over 4,000 pages that they are working on sending to the Mr. Alexandre and the rest of the casefile is under protective order from the Government not to share with the Defendant. See Exhibit A attached (Letter from Mr. Bove to Hon. Judge Cronan.)

Hence, had this Court took a moment to question Mr. Bove about the proffered material

facts before the court, the premature order claiming Mr. Bove has satisfied his duties would not have been issued. Therefore, for the sake of fairness and justice, this needs to be rectified.

This motion is made in good faith in the interest of Justice to restore credibility in the Court and the Justice system.

WHEREFORE, Defendant respectfully requests that this Court vacate, set aside the previous order and/or reconsider the facts before this Court for a new ruling based on the proffered evidence to correct the record and reflect the veracity and truth of the proffered evidence as opposed to vague statements from previous counsel.

DATE: 7/23/2024

Respectfully Submitted,

Eddy Alexandre

/s/

Eddy Alexandre, pro se  
Reg. No.: 00712-510  
ex-CEO, Founder of EminiFX  
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P.O. Box 1000  
White Deer, PA 17887

Application DENIED. The Court has already concluded that Mr. Bove has satisfied his responsibilities to transfer his case files in this matter by transferring the relevant materials within his possession and control. *See* Dkt. 282. The fact that Mr. Bove has since communicated with his former colleagues about transferring materials in *their* possession does not disrupt the Court's finding.

Given the lack of legal authority for Mr. Alexandre's motion, the Court hereby certifies pursuant to 28 U.S.C. § 1915(a)(3) that any interlocutory appeal of this order would not be taken in good faith. Therefore, permission to proceed *in forma pauperis* on interlocutory appeal of this order is DENIED.

SO ORDERED.



8/7/2024

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE